

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN LIMBIRD DAVIS,  
Plaintiff,

v.

GREG SUHR, et al.,  
Defendants.

Case No. [16-cv-04986-JD](#)

**ORDER OF DISMISSAL**

Plaintiff, a detainee, has filed a pro se civil rights complaint under 42 U.S.C. § 1983. He has been granted leave to proceed in forma pauperis. Plaintiff states that Deputy Crain has tried to kill him while in jail, and has inflicted unnecessary pain and humiliation. Plaintiff provides no other information regarding these claims and as currently presented this is insufficient to state a claim. Plaintiff must provide more information regarding the circumstances of these allegations and Deputy Crain's specific actions.

Moreover, plaintiff has filed several cases in the last few months regarding his treatment in jail including *Davis v. Suhr*, 16-4487 JD. In the earlier case plaintiff was not clear about how his rights were violated and he failed to identify any specific defendants. By concurrent order that case is dismissed with leave to amend to provide more information. This case is **DISMISSED** as duplicative. *See Adams v. Cal. Dept. of Health Services*, 487 F.3d 684, 688 (9th Cir. 2007). Plaintiff shall present his claims regarding Deputy Crain's acts in the amended complaint in *Davis v. Suhr*, 16-4487 JD and specifically describe the events surrounding plaintiff's allegations.<sup>1</sup>


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<sup>1</sup> By concurrent order, another case, *David v. Suhr*, 16-5035 JD, was also dismissed as duplicative for plaintiff to present his claims in 16-4487, because the claims also appear to involve his treatment in jail.

Plaintiff should also review the legal standards set forth in the Court Order in *Davis v. Suhr*, 16-4487 JD.

**IT IS SO ORDERED.**

Dated: November 16, 2016



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JAMES DONATO  
United States District Judge

United States District Court  
Northern District of California

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**CERTIFICATE OF SERVICE**

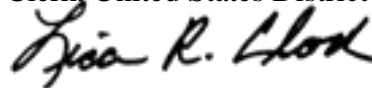
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 16, 2016, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

John Limbird Davis  
#16664426  
850 Bryant Street  
San Francisco, CA 94103

Dated: November 16, 2016

Susan Y. Soong  
Clerk, United States District Court



By: \_\_\_\_\_  
LISA R. CLARK, Deputy Clerk to the  
Honorable JAMES DONATO